

Wrongful Death Statute (IWDS) and Section 1983. . . . For the purpose of judicial economy, Plaintiffs believe that it is necessary that this Court make a preliminary determination on this narrow legal issue prior to the settlement conference so that the parties may approach the issue of damages with clarity.

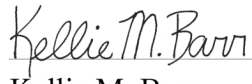
[*Id.* at 3.] For these reasons, "Plaintiffs request that this Court issue a preliminary determination of law before the August 27th settlement conference stating that there is no limitation on the damages that Plaintiffs may pursue under Section 1983." [*Id.* at 7.] Plaintiffs represent that Defendants' position on the Motion is unknown. [*Id.*]

Magistrate judges in this District try to help parties in cases resolve their disputes if possible via settlement and, thus, frequently conduct settlement conferences. Although the undersigned conducts approximately 80 settlement conferences per year, this is the first time she recalls receiving a request of this nature. There is always uncertainty at a settlement conference about how the Court or a jury will resolve issues in a case if it continues to proceed. In fact, one of the benefits of parties agreeing to terms that will resolve the case is that those parties gain certainty about exactly how and when the case will resolve. Plaintiffs' unconventional motion must be denied not only because it cites nothing from the Federal Rules of Civil Procedure to support its request for a "preliminary determination of law" at this stage of the proceedings, but also because the timing of the motion does not allow for the issue to be briefed and the Court to rule ahead of next week's Settlement Conference.

For these reasons, the Court **DENIES** Plaintiffs' Motion for Preliminary Determination of Law. [Dkt. 59.] The Court **ORDERS** counsel to meet and confer and file a joint report **no later than August 25, 2025**, stating whether they still believe the Settlement Conference as scheduled is well timed to be productive. The undersigned emphasizes that while the goal of the Settlement Conference is to resolve the case in full, a settlement conference can still be productive even if it does not result in an agreement on settlement terms at that time.

SO ORDERED.

Date: 8/22/2025



Kellie M. Barr

United States Magistrate Judge
Southern District of Indiana

Distribution:

Alex Maurice Beeman
Reminger Co. LPA
abeeman@reminger.com

Deiona Camargo
Reminger Co LPA
dcamargo@reminger.com

Andrea Lynn Ciobanu
CIOBANU LAW, PC
aciobanu@ciobanulaw.com

Andrew Aaron Haughey
Reminger Co., LPA
ahaughey@reminger.com